

No. 11(112)-3Lab-79/10451.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Industrial Tribunal, Faridabad, in respect of the dispute between the workmen and the management of M/s. Murlidhar, Ram Narain, Pachranga Achar Factory, Panipat, (2) M/s. Murli Manhar & Co. Pachranga Achar Factory, Panipat :—

BEFORE SHRI NATHU RAM SHARMA, PRESIDING OFFICER, INDUSTRIAL TRIBUNAL
HARYANA, FARIDABAD

Reference No. 254 of 1976

between

THE WORKMEN SHOWN IN THE LIST ENCLOSED AS ANNEXURE A, AND THE MANAGEMENT OF M/S MURLIDHAR-RAM NARAIN, PACHRANGA ACHAR FACTORY, PANIPAT,
(2) M/S. MURLI MANOHAR & CO., PACHRANGA ACHAR FACTORY PANIPAT

Present :—

Shri Raghubir Singh for the workman.

Shri Surinder Kaushal for the management.

AWARD

By order No. ID/KNL-189-C-76/43885, dated 25th November, 1976, the Governor of Haryana referred the following disputes between the management of M/s. Murlidhar-Ram Narain, Pachranga Achar Factory, Panipat, (2) M/s. Murli Manohar & Co., Pachranga Achar Factory, Panipat and its workman shown in Annexure A, to this Tribunal, for adjudication, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 :—

1. Whether the workmen shown in the list enclosed as Annexure A, should be paid retrenchment compensation and gratuity or they should be employed in M/s. Murli Manohar and Company, Pachranga Achar Factory, Panipat with continuity of service put in by them with M/s. Murlidhar-Ram Narain, Pachranga, Achar Factory Panipat? If so, with what details.

On receipt of the order of reference, notices were issued to the parties. The parties appeared and filed their pleadings. On the pleadings of the parties, following issues were framed on 13th May, 1977:—

1. Whether the Engineering and Textile Workers Union is a proper person to raise the demands and have authority for the same? If not, to what effect?
2. Whether the workmen mentioned in Annexure A should be paid retrenchment compensation and gratuity?
3. Whether the workmen mentioned in annexure A are entitled to employment in the factory of respondent No. 2 with continuity of service in case issue No. 2 is not proved in favour of the workmen?

And the case was fixed for the evidence of the workmen. The workmen examined Smt. Rukmani Bai as WW-1 and Shri Kuldeep Singh as WW-2, Khando Bai as WW-3 and closed their case. Then the case was fixed for the evidence of the management. The management obtained several adjournments. Lastly the dispute was settled. The management filed a settlement. The management sent the settlement by post. On 23rd June, 1979, statement of the partner of the management was recorded. Both the parties were present then. Thereafter the parties had stated that negotiations for settlement were going on between them. Therefore, the case was fixed for settlement for 17th April, 1979, it was again fixed for settlement on 10th August, 1979, but before 10th August, 1979, the management has sent the above-said settlement and also an application for giving an award in terms of the settlement. The settlement provided that the workmen who had resigned had no cause and their case was not pressed by the union and their dispute was settled as withdrawn but any other worker who worked for more than 5 years shall be granted gratuity. Then the settlement gave the period of service and salary of six workman in para number 2. These persons are Smt. Khando Bai, Rukmani Bai, Babu Ram, Thakur Devi, Ram Sewak and Chuttan Lal, the above-said six workmen shall be paid retrenchment compensation @ 15 days salary for each year of service and the following persons named S/Shri Kanaya Lal, Ram Murat, Jawala Parshad, Ballu and Charan Dass shall not be entitled to any relief as they had resigned and their cases were not pressed and the dues of the above named six persons retrenchment compensation etc. shall be collected by them.

from M/s. Murlidar Ram Narain and Co. The settlement shall come into force at once i.e. on 15th July, 1979 and after the settlement, no dispute was left pending between the parties. I accept the settlement and give my award in terms thereof, which has been described above.

Dated, the 23rd August, 1979.

NATHU RAM SHARMA,

Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

Endst. No. 801, dated 29th August, 1979.

Forwarded (four copies) to the Secretary to Government, Haryana, Labour & Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

NATHU RAM SHARMA,

Presiding Officer,
Industrial Tribunal Haryana,
Faridabad.

ANNEXURE A

1. Shri Balu Ram, s/o Shri Pran.
2. Shri Ram Sewak, s/o Shri Chedi Ram.
3. Shri Kaniha Lal, s/o Shri Nadin Chand.
4. Shri Charn Dass, s/o Shri Ram Lal.
5. Shri Jawala Parshad, s/o Shri Badhai Ram.
6. Shri Chotan, s/o Shri Jogi Ram.
7. Shri Babu Ram, s/o Shri Mahabir.
8. Shri Ram Murat, s/o Shri Badhai.
9. Shrimati Khando Bai, d/o Shri Khushi Ram.
10. Smt. Thakur Devi, d/o Shri Ganesh Dass.
11. Smt. Rukman Bai, d/o Shri Asa Nand.

No. 11(112)-3Lab-79/10453.—In pursuance of the provision of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947) the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Industrial Tribunal, Faridabad in respect of the dispute between the workman and the management of M/s Chief Administrator, Faridabad Complex, Faridabad.

BEFORE SHRI NATHU RAM SHARMA, PRESIDING OFFICER, INDUSTRIAL
TRIBUNAL, HARYANA, FARIDABAD

Reference No. 258 of 1978

Between

SHRI BEER CHAND WORKMAN AND THE MANAGEMENT OF M/S CHIEF
ADMINISTRATOR, FARIDABAD COMPLEX, FARIDABAD

Present :

Shri Bhim Singh Yadav, for the workman.

Shri Lakhan Pal, for the management.

AWARD

By order No. ID/33772, dated 19th July, 1978 the Governor of Haryana referred the following disputes between the management of M/s Chief Administrator, Faridabad Complex, Faridabad and its

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workman Shri Beer Chand, to this Tribunal, for adjudication, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 :—

Whether the termination of services of Shri Beer Chand was justified and in order ? If not, to what relief is he entitled ?

On receipt of the order of reference, notices were issued to the parties. The representative for the workman appeared but none appeared for the management, hence *ex parte* proceedings were ordered against the management and the case was fixed for the *ex parte* evidence of the workman. Thereafter the management applied for setting aside *ex parte* proceedings. That application was fixed for reply. Negotiations for settlement between the parties were there. In para number 10 of the written statement, the management had stated that they had asked the workman to join duty with effect from 2nd June, 1979 but without back wages. But the representative for the management stated before this Tribunal that now they were not in a position to take the workman on duty although they had so offered before the Conciliation Officer. Then the case was fixed for the evidence of the management. Again *ex parte* proceedings were ordered against the management when they did not appear on 8th August, 1979 and the case was fixed for *ex parte* evidence of the workman.

But later on the representative for the management and the workman appeared and stated that their dispute had been settled. Although the parties stated that the workman has joined his duties with effect from 1st August, 1979. Now remained no dispute.

In these circumstances therefore, I give my award that the management has taken back the workman on duty with effect from 1st August, 1979. The workman has withdrawn his dispute and there is no dispute at present between the parties.

The 13th August, 1979.

NATHU RAM SHARMA,
Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

Endst. No. 803, dated 29th August, 1979

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh as required under section 15 of the Industrial Disputes Act, 1947.

NATHU RAM SHARMA,
Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

N. 11(112)-79-3Lab/10461.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Industrial Tribunal, Faridabad in respect of the dispute between the workman and the management of M/s. Ashoka Alloy Steel (P) Ltd., Sadopur, P. O. Kakru (Ambala City).

BEFORE SHRI NATHU RAM SHARMA, PRESIDING OFFICER, INDUSTRIAL TRIBUNAL, HARYANA, FARIDABAD

Reference No. 87 of 1978

between

**THE WORKMAN AND THE MANAGEMENT OF M/S. ASHOKA ALLOY STEEL (P) LTD.,
SADOPUR, P.O. KAKRU (AMBALA CITY)**

Present.—Shri Surinder Kumar/Gopal Dass, for the workman.

Shri C. G. Gupta for, the management.

AWARD

By order No. ID/AMB/44-N-78/14173—77, dated 12th April, 1978, the Governor of Haryana referred the following disputes between the management of M/s. Ashoka Alloy Steels (P) Ltd. Sadopur, P.O. Kakru (Ambala City) and its workman, to this Tribunal, for adjudication, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 :—

1. Whether the workmen are entitled to Bonus for the years 1975-76 and 1976-77 ? If so, with what details ?

2. Whether the workmen are entitled to Dearness Allowance ? If so, with what details ?
3. Whether the workmen are entitled to House Rent Allowance ? If so, with what details ?
4. Whether the workmen are entitled to the Cycle Allowance ? If so, with what details ?

On receipt of the order of reference, notices were issued to the parties. The parties appeared and filed their pleadings. On the pleadings of the parties following issues were framed on 27th April, 1978 :—

1. Whether Shri Surinder Kumar Sharma is the President of the said union ? If not, whether he is authorised representative of the union and is entitled to proceed with the reference as such ?
2. Whether Shri Gopal Dass is the General Secretary of said union ? If not, whether he is entitled to represent the workmen in this reference ?

Which were decided,—*vide* my order dated 24th October, 1979, as they were preliminary issues going to the right of representation by the representatives for the workmen and on decision thereof, the workmen were directed to file claim statement. They filed claim statement. The management filed written statement. Then the case was adjourned for one or the other reason. On 17th July, 1979, the representatives for the workmen appeared and then the case was fixed on 10th August, 1979 at Faridabad. But on 10th August, 1979 the representative for the management appeared but none appeared for the workman. Hence it was ordered that the case be dismissed in default. The case had been called thrice and at 3-45 p. m. order of dismissal was passed. In view of these circumstances, I give my award that there is no dispute between the parties at present.

The 23rd August, 1979.

NATHU RAM SHARMA,
Presiding Officer,
Industrial Tribunal,
Haryana, Faridabad.

No. 806, dated the 29th August, 1979

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh as required under section 15 of the Industrial Disputes Act, 1947.

NATHU RAM SHARMA,
Presiding Officer,
Industrial Tribunal,
Haryana, Faridabad.

No. 11(112)-79/3Lab-10463.—In pursuance of the provision of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Industrial Tribunal Faridabad in respect of the dispute between the workmen and the management of M/s Excelsior Plants Corporation Ltd. NIT, Faridabad.

BEFORE SHRI NATHU RAM SHARMA, PRESIDING OFFICER, INDUSTRIAL TRIBUNAL,
HARYANA, FARIDABAD

Reference No. 194 of 1978

Between

THE WORKMAN AND THE MANAGEMENT OF M/S EXCELSIOR PLANTS
CORPORATION LTD., NIT FARIDABAD

AWARD

By order No. FD/41-78/31038, dated 5th July, 1978 the Governor of Haryana referred the following dispute between the management of M/s. Excelsior Plants Corporation Ltd., NIT, Faridabad and its workman, to this Tribunal, for adjudication, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947:—

1. Whether the workmen are entitled to the grant of bonus for the years 1975-76 and 1976-77 ? If so, with what details ?
2. Whether the grades and scales of pay of the workmen should be revised ? If so, with what details ?

- (3) Whether the workmen should be supplied with uniforms ? If so, with what details ?
- (4) Whether the workmen are entitled to the grant of house-rent allowance ? If so, with what details ?

On receipt of the order of reference, notices were issued to the parties. The workmen appeared through their representative but the management did not appear. On the last date of hearing neither the workmen appeared, nor their representative. It was dismissed in default. I, therefore, give my award that there is no dispute between the parties at present.

Dated the 23rd August, 1979.

NATHU RAM SHARMA,
Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

No. 808, dated 29th August, 1979.

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

NATHU RAM SHARMA,
Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

No. 11(112)-3Lab-79/10472. —In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Industrial Tribunal, Faridabad in respect of the dispute between the workman and the management of M/s. Hemla Embroidery, Mills (P) Ltd., Faridabad.

BEFORE SHRI NATHU RAM SHARMA, PRESIDING OFFICER, INDUSTRIAL TRIBUNAL,
HARYANA, FARIDABAD

Reference No. 425 of 1978

between

SHRI RAM KUMAR, WORKMAN AND THE MANAGEMENT OF M/S. HEMLA
EMBROIDERY, MILLS (P) LTD., FARIDABAD

Present.—

Shri R. L. Sharma, for the workman.

Shri R. C. Sharma, for the management.

AWARD

On receipt of the order of reference, notices were issued to the parties. The parties appeared and filed their pleadings. The management stated that the dispute has been settled copy whereof was produced. The representative for the workman wanted to verify the factum of settlement. The representative for the workman then was directed to produce the workman to admit or deny the settlement but the representative could not produce the workman. The representative for the workman stated that the workman was not present, although he was given 4-5 adjournments. In these circumstances, I come to the conclusion that the dispute was settled between the management and the workman. The copy of the settlement is signed by the workman dated 14th October, 1978. The settlement stated that the workman received a sum of Rs 200 only in settlement of the dispute and there remained no right in the workman for reinstatement or re-employment. The settlement was entered into of the free will of the workman. I accept the settlement and give my award that the termination of services of Shri Ram Kumar, was justified and in order. He is not entitled to any relief.

NATHU RAM SHARMA,
Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

Dated 23rd August, 1979.

No. 807, dated the 29th August, 1979.

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act,

NATHU RAM SHARMA,
Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

No. 11(112)-79-3Lab/10464.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Industrial Tribunal, Faridabad in respect of the dispute between the workman and the management of M/s. India Steel Corporation, Mathura Road, Faridabad.

BEFORE SHRI NATHU RAM SHARMA, PRESIDING OFFICER, INDUSTRIAL TRIBUNAL,
HARYANA, FARIDABAD

Reference No. 105 of 1978

between

SHRI DEV RAJ, WORKMAN AND THE MANAGEMENT OF M/S. INDIA STEEL
CORPORATION, MATHURA ROAD, FARIDABAD

Present.—

Shri P. N. De, for the workman.

Shri M. R. Dhawan, for the management.

AWARD

By order No. ID/FD/93-78/7358, dated 4th May, 1978, the Governor of Haryana referred the following dispute between the management of M/s. India Steel Corporation, Mathura Road, Faridabad and its workman Shri D. Raj, to this Tribunal, for adjudication in exercise of the powers conferred by clause (d) of the sub-section (1) of section 10 of the Industrial Disputes Act, 1947:—

Whether the termination of the services of Shri Dev Raj was justified and in order? If not, to what relief is he entitled?

On receipt of the order of the reference, notices were issued to the parties. The parties appeared and filed their pleadings. On the pleadings of the parties, following issues were framed on 16th November, 1978:—

- (1) Whether there existed the relation of master and servant between the parties?
- (2) If issue No. 1 is proved, whether the termination of services of the workman concerned was justified and in order? If not, to what relief is he entitled?

And the case was fixed for the evidence of the workman who obtained 6-7 adjournments. Lastly a settlement was arrived at, according to which the management agreed to reinstate the workman but without back wages. The workman also agreed to this. I, therefore, give my award in terms of the settlement that the workman is entitled to be reinstated with continuity of services but without back wages as per the settlement.

Dated the 29th August, 1979.

NATHU RAM SHARMA,
Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

No. 809, dated 29th August, 1979.

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

NATHU RAM SHARMA,
Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.